

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

SHARON KIRKWOOD,)	
)	
Plaintiff,)	
)	
v.)	No. 12-2129-STA
)	
LONGISTICS TRANSPORTATION,)	
)	
Defendant.)	

ORDER OF DISMISSAL

On September 19, 2012, the Court ordered Plaintiff Sharon Kirkwood to show cause within 14 days of the entry of the order why her claims against the Defendant should not be dismissed for failure to effect service and/or due to Plaintiff's failure to prosecute. *See* Show Cause Order Sept. 19, 2012 (D.E. # 7). The Court warned Plaintiff that her failure to respond to the order or to show good cause would result in the dismissal of her complaint. The Court's show cause order was returned as undeliverable mail on October 1, 2012. Plaintiff thereafter filed a notice of change of address on October 19, 2012, and the Clerk of Court mailed the show cause order to Plaintiff at her new address of record on October 23, 2012. To date Plaintiff has not responded to the Court's show cause order.

Therefore, Plaintiff's complaint is dismissed pursuant to Federal Rule of Civil Procedure 4(m) for failure to effect service within 120 days of filing her complaint. In the alternative, Plaintiff's complaint is dismissed pursuant to Rule 41(b) for failure to prosecute.

IT IS SO ORDERED.

s/ S. Thomas Anderson
S. THOMAS ANDERSON
UNITED STATES DISTRICT JUDGE

Date: February 1, 2013